

**BEFORE THE MINNESOTA
BOARD OF DENTISTRY**

In the Matter of
Harold Swennes, D.D.S.
License No. D8659

**ORDER FOR
UNCONDITIONAL LICENSE**

The Minnesota Board of Dentistry ("Board") met to review the petition of Harold Swennes, D.D.S. ("Licensee") for reinstatement of an unconditional license to practice dentistry in Minnesota.

BACKGROUND

1. Licensee and the Board's Complaint Committee ("Committee") entered into a Stipulation and Order which was approved by the Board on September 20, 2002, ("2002 Stipulation and Order") that placed conditions on Licensee's dental license. The 2002 Stipulation and Order was based on evidence that Licensee engaged in improper prescribing to patients, inappropriate prescribing outside the scope of dentistry, unprofessional conduct, and inadequate treatment planning.

2. Pursuant to paragraph D. of the 2002 Stipulation and Order, Licensee's license was placed in a conditional status.

FINDINGS OF FACT

The Board makes the following findings of fact:

3. Pursuant to paragraph D. of the 2002 Stipulation and Order, Licensee was required to do the following:

a. Paragraph D.1.a. required Licensee to surrender his DEA Certificate to the Board and not apply for a new DEA Certificate until he successfully

petitions for and receives an unconditional license from the Board. Licensee surrendered his DEA Certificate of Registration submitting the paperwork to DEA and the Board office in a timely fashion. The Committee has not received any indication that Licensee attempted to apply for a new DEA Certificate.

b. Paragraph D.1.b. prohibited Licensee from prescribing, administering or dispensing any controlled substances or any legend drugs for his patients, his own use or for family members or for prescribing for conditions not related to the practice of dentistry. The Committee has not received any indication that Licensee failed to comply with this requirement.

c. Paragraph D.2. required Licensee to prepare and submit to the Board a directive, signed by all staff employed at Licensee's office, that states only dentists may sign prescriptions or authorize prescription refills. Licensee submitted the required directive which was signed by each of his employees. The Committee has not received any indication that Licensee failed to continue to comply with this requirement.

d. Paragraph D.3.a. required Licensee to complete a minimum of four hours of instruction in professional risk management emphasizing complete and accurate recordkeeping. Licensee attended a six hour course offered by Delta Dental which was pre-approved by the Committee.

e. Paragraph D.3.b. required Licensee to complete one-on-one consultations with John Hung, Ph.D., L.P. or another health professional approved by the Board for at least eight hours or until such time as determined by the consultant to sufficiently achieve the learning objectives, including establishing and maintaining professional boundaries with patients complaining of chronic pain who may exhibit drug-

seeking behavior. Licensee completed the one-on-one consultation with Dr. Hung for a total of 12 ½ hours.

f. Paragraph D.3.c. required Licensee to complete the individually designed treatment planning course offered by the Continuing Dental Education Department at the University of Minnesota. Licensee attended and successfully completed the course in May 2003.

g. Paragraph D.3.d. required Licensee to submit written reports on what he learned and changes he made to his practice. Licensee submitted written reports in a timely fashion which were reviewed and accepted by the Committee.

h. Paragraph D.4. required Licensee to pass the Minnesota Jurisprudence Examination with a score of at least 90 percent. Licensee did so on December 19, 2002.

i. Paragraph D.5. required Licensee to pay the Board the sum of \$3000 as partial reimbursement for the Board's costs in this matter. Licensee paid the money in a timely manner.

j. Paragraph D.6. required Licensee to comply with all laws and rules of the Board of Dentistry, cooperate with the Board's requests, and comply with the most current infection control requirements. The Committee has not received any indication that Licensee has violated this portion of the 2002 Stipulation and Order.

ORDER

IT IS ORDERED that an UNCONDITIONAL LICENSE to practice dentistry in the State of Minnesota be conferred upon Licensee, such license to carry all duties, benefits, responsibilities, and privileges inherent therein through Minnesota statute and rule.

Dated: September 19,, 2003

MINNESOTA BOARD
OF DENTISTRY

By:

Freeman Rosenblum, D.D.S.
FREEMAN ROSENBLUM, D.D.S.
President